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INFO RUCNASE/ASEAN MEMBER COLLECTIVE  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE  
RUEHBY/AMEMBASSY CANBERRA 1595  
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RUEHUL/AMEMBASSY SEOUL 8677  
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C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000822

SIPDIS

STATE FOR EAP, IO AND DRL  
DEPT PLEASE PASS TO DEPT OF LABOR ILAB OFFICE  
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E.O. 12958: DECL: 10/22/2018  
TAGS: [ELAB](#) [PGOV](#) [PREL](#) [PHUM](#) [BM](#)  
SUBJECT: BURMA: NEED TO IMPROVE LABOR RIGHTS AWARENESS

REF: A. RANGOON 519  
[1](#)B. RANGOON 424  
[1](#)C. RANGOON 286

Classified By: Economic Officer Samantha A. Carl-Yoder for reasons 1.4  
(b and d)

Summary

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[1](#)1. (C) Although the International Labor Organization (ILO) and GOB in February 2007 signed a Supplementary Understanding (SU) on Forced Labor, establishing a mechanism for Burmese citizens to file forced labor complaints, most Burmese remain unaware of the SU and their labor rights. The ILO has tried to raise awareness by holding training sessions for civilian and military officials; the next is scheduled for October 27-28 in Kachin State and Sagaing Division. However, the GOB has yet to approve the Burmese language translation of key training documents. In December, the ILO and GOB will begin negotiations to renew the SU, which expires in February 2009. ILO Liaison Officer Steve Marshall will seek to amend the SU to make the GOB more accountable for its actions. He will meet with worker groups and member states during the upcoming ILO Governing Body meeting in Geneva in November to garner support for possible amendments to the SU, and would welcome a meeting with the U.S. delegation - which Post encourages. End Summary.

One Step Forward, Two Steps Back

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[1](#)2. (C) According to ILO Liaison Officer Steve Marshall, most Burmese lack an awareness of their labor rights. The ILO-GOB Supplementary Understanding (SU) on Forced Labor, signed in February 2007 and renewed in February 2008, establishes a mechanism for Burmese citizens to file formal forced labor complaints with the ILO. The SU also enables the ILO to investigate official complaints, though it cannot proactively investigate cases absent a formal complaint. Although the ILO has received and investigated more than 100 cases since February 2007, this is just the tip of the iceberg, Marshall reported. The majority of forced labor in Burma is perpetrated by the military, such as use of locals

for forced portering and sentry duty or to build infrastructure projects, often in areas to which the ILO has no access (Ref A).

13. (C) In the past year, the ILO has tried to increase awareness of the SU and labor and human rights, hosting three training sessions for civilian and military personnel on the value of human and labor rights and best military recruitment practices. Marshall will hold two more trainings for military personnel in Kachin State and Sagaing Division on October 27-28. According to Marshall, the GOB initially refused his request to travel to Kachin State and Sagaing Division because the regions were "too politically sensitive." Marshall resubmitted travel requests and petitions for training three times before the GOB relented in mid-October. While he is pleased with the opportunity to train military officials, Marshall posited that the GOB approved the training only because it would take place shortly before the ILO Governing Body meeting in Geneva.

14. (C) Despite permitting Marshall to provide training to certain targeted audiences, the GOB has blocked the ILO's other efforts to increase citizens' awareness of their rights and the GOB's commitments. In November 2007, the ILO submitted for approval a Burmese-language translation of both the SU and a brochure on how to file a formal complaint with the ILO, which the ILO plans to disseminate throughout the country. Almost one year later, the GOB has yet to approve a final translation of either document, Marshall reported. Labor Minister Aung Kyi told Marshall that the Cabinet, which has final approval authority, has not even reviewed the

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brochure, which Marshall considers the more important and informative document. Aung Kyi could not advise Marshall on when either document would be finalized. The ILO is also restricted from disseminating documentation on complaint procedures during its training sessions.

15. (C) Marshall is convinced that senior GOB leaders are opposed to informing Burmese about their labor rights, noting that the number of cases the ILO receives is proportional to people's knowledge of the SU and the process. Currently, the majority of the ILO's complaints, primarily child soldier cases, originate in Rangoon, where awareness is highest. Moreover, based on GOB's forced labor practices, Marshall believes with greater awareness the number of complaints filed would be much higher than the 100 cases the ILO has received. Marshall hopes to work with NGOs to spread the word about the SU and labor rights, establishing a network that will facilitate forced labor complaints outside of Rangoon.

Looking Forward: Renewing the SU  
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16. (C) While Marshall acknowledges that the GOB has made some progress on combating forced labor, these efforts are not enough (Refs B and C). The current SU will expire in February 2009 and the ILO and GOB are expected to begin extension negotiations in December, after the ILO meeting. Marshall acknowledges that the SU provides a mechanism under which the ILO can work in Burma, but he is reluctant to renew the existing agreement unchanged. Instead, he believes the agreement should be amended to include indicators to measure whether the GOB is meeting its obligations on preventing and combating forced labor. Marshall will meet with workers groups, including the AFL-CIO, and member states before the ILO Governing Body meeting and seek their support in raising the need for indicators in the Burmese SU. He welcomes a meeting with the U.S. delegation to discuss this proposal.

Preparing for the ILO Meeting  
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17. (SBU) Marshall will host a meeting with diplomats in

Rangoon in early November to review developments since the last Governing Body meeting. He will also host a separate lunch for the Chiefs of Mission from the United States, Britain, Australia, Singapore, and Thailand to discuss forced labor and raise awareness among key ASEAN members. We will forward any documents provided by the ILO to EAP/MLS, DRL, and DOL/ILAB. Post recommends the U.S. delegation meet with Marshall on the margins of the ILO meeting, and encourage the AFL-CIO to do so if appropriate, to discuss ways to strengthen the SU, including by incorporating indicators or benchmarks as Marshall proposes.

VAJDA